

RECEIVED

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

SEP 12 2013

AT 8:30 M
WILLIAM T. WALSH CLERK

BRISTOL-MYERS SQUIBB COMPANY,)
Plaintiff,) Civil Action No. 3:10-cv-05810
APOTEX, INC., and) (MLC)(LHG)
APOTEX CORP.,)
Defendants.)
v.) (consolidated with Civil Action No. 11-
6918)

STIPULATION AND ORDER OF DISMISSAL

WHEREAS, Plaintiff Bristol-Myers Squibb Company has asserted certain claims with respect to the Patents-in-Suit against Defendants Apotex, Inc. and Apotex Corp. and Defendants have asserted certain counterclaims against Plaintiff;

WHEREAS the parties have resolved all outstanding issues between them relating to this action:

IT IS this 12th day of SEPTEMBER, 2013

ORDERED, ADJUDGED AND DECREED as follows:

1. All claims, counterclaims, and defenses asserted by any of the undersigned parties against any other undersigned party in the above matter are dismissed without prejudice.
2. Each party shall bear its own costs and attorneys' fees.
3. This Court retains jurisdiction to enforce this Stipulation and Order of Dismissal, and any other agreements between the parties related to this Stipulation and Order of Dismissal.

We consent to the form and entry of the foregoing Stipulation and Order of Dismissal.

Dated: September 12, 2013

By: s/Liza M. Walsh

Liza M. Walsh
Christine I. Gannon
CONNELL FOLEY, LLP
85 Livingston Avenue
Roseland, New Jersey 07068
Tel.: (973) 535-0500
Fax.: (973) 535-9217

Leora Ben-Ami
Jeanna Wacker
KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, NY 10022
Tel.: (212) 446-4800
Fax: (212) 446-6460

Benjamin C. Hsing
KAYE SCHOLER LLP
425 Park Avenue
New York, NY 10022
Tel.: (212) 836-8000
Fax: (212) 836-6735

*Attorneys for Plaintiff Bristol-Myers
Squibb Company*

By: s/Arnold B. Calmann

Arnold B. Calmann
Jeffrey Soos
Geri L. Albin
SAIBER LLC
One Gateway Center
10th Floor, Suite 1000
Newark, New Jersey 07102
Tel.: (973) 622-3333
Fax: (973) 286-2465

William A. Rakoczy
Deanne M. Mazzochi
Tara M. Raghavan
RAKOCZY MOLINO MAZZOCHI
SIWIK LLP
6 West Hubbard Street, Suite 500
Chicago, Illinois 60654
Tel.: (312) 222-6301
Fax: (312) 527-4205

*Attorneys for Defendants Apotex, Inc.
and Apotex Corp.*

SO ORDERED:

Mary L. Cooper
United States District Judge

Dated: September 12, 2013